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APPLICATION NO.	FILING DATE	FIRST NAMED INVENTOR	ATTORNEY DOCKET NO.	CONFIRMATION NO		
09/889,518	08/27/2001	Paul Walter Baier	449122009400	449122009400 4278		
25227	7590 04/13/2004		EXAMI	EXAMINER		
MORRISON & FOERSTER LLP			TRAN, KH	TRAN, KHANH C		
SUITE 300	S BOULEVARD		ART UNIT PAPER NUMBER			
MCLEAN, V	A 22102		2631	16		
			DATE MAILED: 04/13/2004			

Please find below and/or attached an Office communication concerning this application or proceeding.

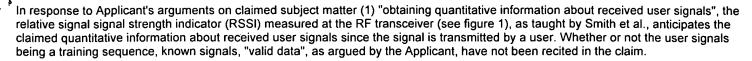
	Application No.	Applicant(s)				
Advisory Action	09/889,518	BAIER ET AL.				
,	Examiner	Art Unit				
	Khanh Tran	2631				
The MAILING DATE of this communication appe	ears on the cover sheet with the c	correspondence ado	lress			
THE REPLY FILED 22 March 2004 FAILS TO PLACE TI Therefore, further action by the applicant is required to average final rejection under 37 CFR 1.113 may only be either: (1) condition for allowance; (2) a timely filed Notice of Appea Examination (RCE) in compliance with 37 CFR 1.114.	void abandonment of this applica a timely filed amendment whick	ation. A proper repl h places the applica	y to a ation in			
PERIOD FOR RE	PLY [check either a) or b)]					
a) The period for reply expires <u>3</u> months from the mailing date						
b) The period for reply expires on: (1) the mailing date of this A no event, however, will the statutory period for reply expire I ONLY CHECK THIS BOX WHEN THE FIRST REPLY WAS 706.07(f).	ater than SIX MONTHS from the mailin S FILED WITHIN TWO MONTHS OF TH	g date of the final reject HE FINAL REJECTION.	ion. See MPEP			
Extensions of time may be obtained under 37 CFR 1.136(a). The fee have been filed is the date for purposes of determining the period of fee under 37 CFR 1.17(a) is calculated from: (1) the expiration date of (2) as set forth in (b) above, if checked. Any reply received by the Offictimely filed, may reduce any earned patent term adjustment. See 37 C	of extension and the corresponding amoust the shortened statutory period for reply be later than three months after the mai	ount of the fee. The app originally set in the final	ropriate extension Office action; or			
1. A Notice of Appeal was filed on Appellant's 37 CFR 1.192(a), or any extension thereof (37 CFR						
2. The proposed amendment(s) will not be entered be	ecause:					
(a) they raise new issues that would require further	er consideration and/or search (	see NOTE below);				
(b) they raise the issue of new matter (see Note b	pelow);					
<ul> <li>(c)  they are not deemed to place the application in issues for appeal; and/or</li> </ul>	n better form for appeal by mate	rially reducing or si	mplifying the			
(d)  they present additional claims without canceli NOTE:	ng a corresponding number of f	inally rejected claim	ns.			
3. Applicant's reply has overcome the following reject	tion(s):					
4. Newly proposed or amended claim(s) would canceling the non-allowable claim(s).	be allowable if submitted in a se	eparate, timely filed	amendment			
5. ☑ The a) ☐ affidavit, b) ☐ exhibit, or c) ☑ request for application in condition for allowance because: See		idered but does NO	T place the			
6. The affidavit or exhibit will NOT be considered bec raised by the Examiner in the final rejection.	ause it is not directed SOLELY	to issues which wer	e newly			
7. For purposes of Appeal, the proposed amendment explanation of how the new or amended claims we			and an			
The status of the claim(s) is (or will be) as follows:						
Claim(s) allowed:						
Claim(s) objected to:						
Claim(s) rejected: <u>1-5,8-13,16-22 and 27</u> .						
Claim(s) withdrawn from consideration:						
8. The drawing correction filed on is a) app	roved or b)  disapproved by t	the Examiner.				

10. Other: \_\_\_\_

9. Note the attached Information Disclosure Statement(s)( PTO-1449) Paper No(s). \_\_\_\_\_.

**CAMINER** 





In response to Applicant's arguments on claimed subject matter (2) "obtaining quantitative information about the received inteference signal from the received signal and the quantitative information about the received user signals". As recited above, the measured RSSI anticipates the claimed quantitative information about received user signals. In column 4 line 65 through column 5 line 3, Smith et al. further teaches the BER and the RSSI are two interference indication signals being measured at the RF transceiver in figure 1. The measured two interference indication signals inherently address the claimed "obtaining quantitative information about the received inteference signal". Applicant fails to recite in the claim how the information is obtained in a way similar to the claimed invention as argued.

In response to Applicant's arguments on claimed subject matter (3) "generating a directional pattern from the information about the received interference signal", in column 4 line 65 through column line 3, the adaptive antenna implements a beam steering algorithm that is based on two interference indication signals BER and RSSI, which correspond to the claimed information about the received interference signal. The beam steering circuit as taught by Smith et al. enables the antenna to achieve spatial selectivity, to focus, and to converge on one of the users and rejects signals from all other users in the environment. Hence, a directional pattern is inherently genererated based on the two interference indication signals. Applicant' arguments on obtaining directly a directional pattern is not recited in the claim. The claimed step only recites "generating a directional pattern from the information about the received interference signal", which is anticipated by Smith et al. teachings.

In response to Applicant's arguments on claimed subject matter (4) "generating this directional pattern for transmission", after achieving spatial selectivity on the user, the transceiver transmits data at high rate. Hence, Smith et al. teachings teaches the claimed step. Applicant stated nowhere does Smith mention steering the antennas for better transmission, on the contrary, Smith et al. discloses, in column 10, lines 39-48, the beam steering circuit enables the antenna to achieve spatial selectivity, to focus, and to converge on one of the users and reject signals from all other users in the environment. Unequivocally, Smith et al. inherently teaches steering the antenna for better transmission/reception.